



# CITY OF SOMERVILLE

Inspectional Services • Planning Board • Zoning Board of Appeals

## CERTIFICATE OF RECEIPT OF REQUIRED MATERIALS BY CITY OF SOMERVILLE HOUSING DIVISION

Development Site Address: 16 - 20 Medford Street

Applicant Name: Somerville Living, LLC

As required by the City of Somerville's Development Review Submittal Requirements, I certify that I have received and approved the following development review materials for the development proposal identified above:

1. Affordable Housing Acknowledgement
2. Development Plans
3. Property Deed

This proposal is subject to:

- ☒ Section 12.1 Affordable Housing  
☐ Section 8.1 Affordable Housing Overlay District

Signature:

Housing Division Representative

Date:

2.3.2022



# CITY OF SOMERVILLE

Office of Strategic Planning & Community Development

## AFFORDABLE HOUSING ACKNOWLEDGEMENT

Property Address: 16 & 20 Medford Street	
Zoning District: Mid Rise 4 (MR4)	
Applicant: Somerville Living LLC	
Address: PO Box 780, Lynnfield, MA 01940	
Phone: 781-334-9899	Email: info@dibiasehomes.com
Property Owner (if not applicant):	
Address:	
Phone:	Email:

This MEMORANDUM OF UNDERSTANDING ("MOU") is made on this \_\_\_\_\_ day of January, 2022 by and between the Housing Director of the City of Somerville ("Housing Director"), with an address of OSPCD Housing Division, 50 Evergreen Avenue, City Hall Annex, Somerville, Massachusetts 02145 and Somerville Living LLC, including its successors and assigns and affiliated entities, (the "Developer") with an address of PO Box 780, Lynnfield, MA 01940 for the residential development at 16 & 20 Medford Street - Somerville, MA ("the Property").


### BACKGROUND

The Developer is submitting a Development Review Application to the Inspectional Services Division of the City of Somerville to develop a General Building building type with a total of 41 dwelling units in the Mid Rise 4 ("MR4") zoning district and is required to provide affordable dwelling units (ADUs) pursuant to Section 12.1 (12.1 Affordable Housing or 8.1 Affordable Housing Overlay District) of the Somerville Zoning Ordinance. The Developer is currently planning a homeownership (rental/homeownership) project.

### AGREEMENT

NOW, THEREFORE, with good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Developer, for itself, and the Housing Division covenant agree as follows:

1. The Developer shall provide <sup>8</sup> total deed restricted ADU(s) and shall pay a fractional buyout equivalent to <sup>0.20</sup> ADUs, pursuant to Section 12.3 Buyouts & Payments of the Somerville Zoning Ordinance. Of the total deed restricted ADUs required, <sup>4</sup> will be priced at Tier 1, <sup>3</sup> will be priced at Tier 2, and <sup>1</sup> will be priced at Tier 3.
2. Any development with thirty (30) or more dwelling units must provide at least twenty percent (20%) of the ADUs with three (3) or more bedrooms. Any fractional number resulting from this calculation is rounded up to the next whole number and regarded as a whole number.
3. The Developer shall agree to and sign an Affordable Housing Implementation Plan ("AHIP"), approved at the discretion of the Housing Director, prior to the issuance of any Building Permit for the Property, in accordance with the Section 12.1 Affordable Housing of the Somerville Zoning Ordinance.

Developer initial here: 

4. The Developer shall pay any authorized fractional buyout to the Somerville Affordable Housing Trust Fund or, alternatively, to the City of Somerville for transfer to a Massachusetts non-profit housing finance corporation, at the discretion of the Director of Housing, prior to the issuance of any Building Permit for the Property, in accordance with the Section 12.3 Buyouts & Payments of the Somerville Zoning Ordinance.
5. The Developer shall execute and record a deed restriction known as an Affordable Housing Restriction limiting the sale, rent, or lease of all ADUs to eligible households in perpetuity with the Middlesex South Registry of Deeds, or filed with the Land Registration Office, in a form approved by the City Solicitor prior to the issuance of any Certificate of Occupancy for the Property.
6. If permitted by the Housing Director's standards for ADUs, the Developer shall either engage, at their own expense, a 3<sup>rd</sup> party to certify the income eligibility of any household selected for occupancy of an ADU in accordance with 24 CFR 5.609 or provide a fee to the Housing Division for certification services in the event a 3<sup>rd</sup> party cannot be engaged.
7. The Developer shall agree to and sign a Memorandum of Understanding for the monitoring of compliance to the provisions of the Somerville Zoning Ordinance, all legal agreements, and other standards established by the Director of Housing for rental ADUs prior to the issuance of any Certificate of Occupancy for the Property.
8. The Developer shall agree to and sign an new Affordable Housing Acknowledgement in the following circumstances:
  - a. Following the issuance of any Special Permit subsequent to the date of this MOU authorizing an in-lieu payment instead of providing one (1) or more ADUs.
  - b. Following any action by the review boards that changes the total dwelling unit count for the Property.
  - c. Prior to submitting a revision to a previously approved development review application that includes a change in the total dwelling unit count for the Property.

IN WITNESS WHEREOF, the Developer and the Housing Director have executed this Acknowledgement under seal as of as of the date first written above.

Developer

*Paul M. Brown*  
Authorized Representative (Print and Sign)

Date: 1/20/22

City of Somerville

*M. F. Foley*  
Housing Director (Print and Sign)

Date: 2-3-2022

Property Owner

*Paul M. Brown*  
Authorized Representative (Print and Sign)

Date: 1/20/22

Developer initial here: *PB*